IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 17243 of 2004

Between:

T. Narayana Murthy S/o Late T.V. Sharma
C/o p. Subrahmanyam R/o H. No. 24.3/18/12, Extension Vishnupuri Colony,
Malakjgiri Hyderabad

..... PETITIONER

AND

The Andhra Pradesh Pollution Control Board, rep by Member Secretary, 2nd Floor,
Mythri Vanam, Huda Complex, Ameerpet, Hyderabad

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order, or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not regularising the services of the petitioner in the post of Field Assistant as wholly illegal, arbitrary and violative of Art. 14 and 16 of the Constitution of India and consequently direct the respondent to regularise the services of the petitioner in the post of Field Assistant.

Counsel for the Petitioner: MR.V.VISWANATHAM

Counsel for the Respondent: MR.A.RAMALINGESWAR RAO

The Court at the admission stage made the following:

ORDER:

Petitioner claims that he was appointed as a Daily Wage Field Assistant on 04.10.1989 after following the procedure prescribed under the Rules. He remained absent for duty due to ill-health. He was removed from service on 17.07.1997 for unauthorised absence. He again reported before the concerned authorities on 17.01.2000, but he was not permitted to join the duty. The petitioner contends that though he has been making repeated representations to consider his case sympathetically and to permit him to work as a Daily Wage Field Assistant, the respondent is not considering his representation and he is not provided any employment. He, therefore, approached this Court seeking a direction to the respondent to consider his representation.

The learned counsel for the respondent represents that the representation made by the petitioner is not a statutory one, therefore he is not entitled to maintain the writ petition.

Having regard to the above facts and circumstances, the respondent

is directed to pass appropriate orders on the representation of the petitioner, if any, pending with him according to Rules within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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28.09.2004

VGB

To

1. The Member Secretary, Andhra Pradesh Pollution Control Board, 2nd Floor, Mythri Vanam, Huda Complex, Ameerpet, Hyderabad

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